

PATENT COOPERATION TREATY

PCT

COMMUNICATION OF
INTERNATIONAL APPLICATIONS

(PCT Article 20)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE
in its capacity as designated Office

Date of mailing:

21 March 2002 (21.03.02)

The International Bureau transmits herewith copies of the international applications having the following international application numbers and international publication numbers:

International application no.:

PCT/US00/22673

International publication no.:

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer:

J. Zahra
Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
ROBERT D. FISH
FISH & ASSOCIATES, LLP
1440 N. HARBOR BLVD.
SUITE 706
FULLERTON, CA 92835

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NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

28 DEC 2001

Applicant's or agent's file reference

302.16-PCT

IMPORTANT NOTIFICATION

International application No.

PCT/US00/22673

International filing date (day/month/year)

17 August 2000 (17.08.2000)

Priority date (day/month/year)

NONE

Applicant

AQUA CONSERVATION SYSTEMS, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703)305-3230

Authorized officer

William Grant

Telephone No. (703) 305-9600

PATENT COOPERATION TREATY

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REC'D 04 JAN 2001

WIPO

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 302.16-PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/22673	International filing date (day/month/year) 17 August 2000 (17.08.2000)	Priority date (day/month/year) NONE
International Patent Classification (IPC) or national classification and IPC IPC(7): G05D 7/06; A01G 25/16 and US Cl.: 700/284; 239/69		
Applicant AQUA CONSERVATION SYSTEMS, INC.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 11 October 2001 (11.10.2001)	Date of completion of this report 29 November 2001 (29.11.2001)	
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer William Grant <i>Robert Hancock</i> Telephone No. (703) 305-9600	

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/22673

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed.
- ☒ the description:
pages 1-10 as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____.
- ☒ the claims:
pages NONE as originally filed
pages 11-14 as amended (together with any statement) under Article 19
pages NONE filed with the demand
pages NONE filed with the letter of _____.
- ☒ the drawings:
pages 1-3 as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____.
- ☒ the sequence listing part of the description:
pages NONE as originally filed
pages NONE filed with the demand
pages NONE filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US00/22673**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-24</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-24 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest a communication system that exchanges information between an irrigation controller and a distal computer and that communication system is specifically a public packet switched network in combination with the remaining elements and features of the claimed invention. None of the references cited taken either alone or in combination disclose the irrigation system having all the claimed features of applicants invention including the multiple communication systems that rely upon a public packet switched network (i.e. the Internet).

----- NEW CITATIONS -----

PCT REQUEST

302.16-PCT

Original (for SUBMISSION) - printed on 17.08.2000 03:01:23 PM

0	For receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request Prepared using	PCT-EASY Version 2.91 (updated 01.07.2000)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	United States Patent and Trademark Office (USPTO) (RO/US)
0-7	Applicant's or agent's file reference	302.16-PCT
I	Title of invention	INTERACTIVE IRRIGATION SYSTEM
II	Applicant	
II-1	This person is:	applicant and inventor
II-2	Applicant for	US only
II-4	Name (LAST, First)	ADDINK, John
II-5	Address:	Aqua Conservation Systems, Inc. 2900 Adams, Suite B6 Riverside, CA 92504 United States of America
II-6	State of nationality	US
II-7	State of residence	US
II-8	Telephone No.	909-794-2129
II-9	Facsimile No.	909-780-8517
III-1	Applicant and/or inventor	
III-1-1	This person is:	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	GIVARGIS, Tony
III-1-5	Address:	Aqua Conservation Systems, Inc. 2900 Adams, Suite B6 Riverside, CA 92504 United States of America
III-1-6	State of nationality	US
III-1-7	State of residence	US

PCT REQUEST

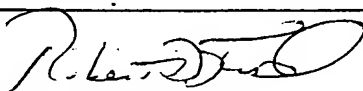
Original (for SUBMISSION) - printed on 17.08.2000 03:01:23 PM

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent	
IV-1-1	Name (LAST, First)	FISH, Robert D.	
IV-1-2	Address:	Fish & Associates, LLP 1440 N. Harbor Blvd., Suite 706 Fullerton, CA 92835 United States of America	
IV-1-3	Telephone No.	714-449-2337	
IV-1-4	Facsimile No.	714-449-2339	
IV-1-5	e-mail	rfish@fishandassociates.com	
V	Designation of States		
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	--	
V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	US	
V-5	Precautionary Designation Statement In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.		
V-6	Exclusion(s) from precautionary designations	NONE	
VI	Priority claim	NONE	
VII-1	International Searching Authority Chosen	United States Patent and Trademark Office (USPTO) (ISA/US)	
VIII	Check list	number of sheets	electronic file(s) attached
VIII-1	Request	3	-
VIII-2	Description	10	-
VIII-3	Claims	4	-
VIII-4	Abstract	1	current_abstract-01a.txt
VIII-5	Drawings	3	-
VIII-7	TOTAL	21	

PCT REQUEST

302.16-PCT

Original (for SUBMISSION) - printed on 17.08.2000 03:01:23 PM

	Accompanying items	paper document(s) attached	electronic file(s) attached
VIII-8	Fee calculation sheet	✓	-
VIII-10	Copy of general power of attorney	✓	-
VIII-10	Copy of general power of attorney	✓	-
VIII-16	PCT-EASY diskette	-	diskette
VIII-18	Figure of the drawings which should accompany the abstract	2	
VIII-19	Language of filing of the international application	English	
IX-1	Signature of applicant or agent		
IX-1-1	Name (LAST, First)	FISH, Robert D.	

FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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PATENT COOPERATION TREATY

FILE COPY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
ROBERT D. FISH
FISH & ASSOCIATES, LLP
1440 N. HARBOR BLVD.
SUITE 706
FULLERTON, CA 92835

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

Date of Mailing (day/month/year)	
Applicant's or agent's file reference 302.16-PCT	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US00/22673	International filing date (day/month/year) 17 August 2000 (17.08.2000)
Applicant ADDINK, JOHN	

1. ☒ The applicant is hereby notified that the international search report has been established and is transmitted herewith.
Filing of amendments and statement under Article 19:
The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompany sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Further action(s): The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau.
If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231
Facsimile No. (703)305-3230

Authorized officer

William Grant

Telephone No. (703) 305-9600

PATENT COOPERATION TREATY

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FILE COPY

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 302.16-PCT	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US00/22673	International filing date (<i>day/month/year</i>) 17 August 2000 (17.08.2000)	(Earliest) Priority Date (<i>day/month/year</i>) NONE
Applicant ADDINK, JOHN		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (See Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. 2

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/22613

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Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

The technical features mentioned in the abstract do not include a reference sign between parentheses (PCT Rule 8.1(d)).

NEW ABSTRACT

An interactive irrigation system exchanges information between an irrigation controller (20) and a distal computer (10), between the irrigation controller (20) and a user (15), between the user (15) and the distal computer (10), and between the distal computer (10) and a third party (11). The information is preferably exchanged over an Internet communication system. The exchanged information includes the following: irrigation scheduling; quantity of water applied to the landscape at the user location, which is compared to ETo values; warnings to users when potential problems with their irrigation systems are detected; and other irrigation information that is useful to the user or a third party.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/22673

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A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G05D 7/06; A01G 25/16

US CL : 700/284; 239/69

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 700/284; 239/69, 71, 72, 99

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
Please See Continuation Sheet**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y ---	US 6,076,740 A (TOWNSEND) 20 June 2000 (20.06.2000), column 1, lines 4-7; column 2, lines 58-65; column 3, line 34 - column 6, line 36.	1-7, 10-15, 19, 20 1 ----- -----08, 9, 16-18, 21-24
Y	US 5,479,339 A (MILLER) 26 December 1995 (26.12.1995), Abstract; column 3, lines 9-42; column 5, line 41 - column 6, line 6; column 6, line 59 - column 11, line 58.	8, 9, 16, 17, 21-24
Y	US 4,396,149 A (HIRSCH) 02 August 1983 (02.08.1983), column 4, lines 8-27.	18
A	US 5,760,706 A (KISS) 02 June 1998 (02.06.1998), column 1, line 38 - column 4, line 47.	1-24
A	US 4,626,984 A (UNRUH et al) 02 December 1986 (02.12.1986), Abstract; column 4, line 4 - column 10, line 19.	1-24

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

* Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

03 November 2000 (03.11.2000)

Date of mailing of the international search report

Name and mailing address of the ISA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703)305-3230

Authorized officer


William Grant

Telephone No. (703) 305-9600

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/226

FILE COPY

Continuation of B. FIELDS SEARCHED Item 3: EAST BRS using the following search terms:

((irrigation and (control or controller)) and (remote adj communication)

((irrigation adj system) and (remote adj location))

((((irrigation adj system) and remote adj location) and (control or controller))

(class 455/\$ and irrigation)

(irrigation and internet)

(Evapotranspiration and government)